

# Cahoy Dec. Ex. 18

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: DA VINCI SURGICAL )  
ROBOT ANTITRUST LITIGATION ) Case No.:  
----- ) 3:21-cv-03825-VC  
THIS DOCUMENT RELATES TO: )  
ALL CASES ) Pages 1 to 260  
----- )  
SURGICAL INSTRUMENT SERVICE )  
COMPANY, INC., )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
INTUITIVE SURGICAL, INC., )  
 )  
Defendant. )  
----- )

\*\*\* CONFIDENTIAL ATTORNEYS EYES ONLY \*\*\*

30(b)(1) DEPOSITION OF:

COLIN MORALES

NOVEMBER 1, 2022

8:58 a.m.

REPORTED BY:  
Vickie Blair  
CSR No. 8940, RPR-CRR  
JOB NO. 5507318  
PAGES 1 - 260

1 Q Yes. There's a --

2 A Oh, yeah, I see it. "Maintain leadership  
3 position."

4 Q Okay. So the -- the first, like, larger  
5 chunk of text under that states (as read):

6 If a large player were to enter with  
7 reprogramming or refurbishing, we have  
8 lost our leadership position in this  
9 segment of robotics.

10 So is it safe to say that Intuitive was,  
11 at this point, contemplating that a third party would  
12 enter the market to refurbish EndoWrists?

13 MR. LANNIN: Object to the form.

14 THE WITNESS: Well, I think, you know,  
15 what we were seeing is we were seeing instruments in  
16 our data that indicated that they were being -- the  
17 lives were being extended on them, so that was kind of  
18 the first indicator.

19 And just because there's someone that's  
20 doing that doesn't mean that that's a good product or a  
21 bad product, it just means that something was  
22 happening.

23 I think project Dragon was a program or  
24 initiative to explore the feasibility of being able to  
25 perform refurbishment on instruments, and, at the end

1 of the day when we went through all of this work and --  
2 and exploration, you know, the goal was to provide, you  
3 know, a lower cost, you know, product and lower per  
4 procedure cost, and -- and then be able to pass that,  
5 you know, savings on to the -- to the -- to the  
6 customer, and also have a financial impact internally.

7 At the end of the day when this whole  
8 thing was said and done, it didn't make sense, and --  
9 and it didn't make sense for a lot of reasons, and  
10 the -- the -- the biggest challenge here was the -- all  
11 of the logistic work that was required in order to  
12 obtain an instrument, bring it back, ensure it was  
13 properly sterilized, disassemble, reassemble,  
14 repackaging, and go through all that.

15 And so, you know, what in- -- what  
16 Intuitive was doing, and -- and what other companies  
17 were doing were different and, again, at the end of the  
18 day, it didn't make sense, it didn't make financial  
19 sense, it didn't make, you know, performance sense,  
20 and -- and so the project didn't launch.

21 BY MS. ETHERIDGE:

22 Q The next sentence in that little paragraph  
23 says (as read):

24 Our users could vilify us for not  
25 extending lives or refurbishing sooner.

1 STATE OF CALIFORNIA )

2 ) ss.

3 COUNTY OF LOS ANGELES )

4 I, Vickie Blair, CSR No. 8940, RPR-CRR, in  
5 and for the State of California, do hereby certify:

6 That, prior to being examined, the witness  
7 named in the foregoing deposition was by me duly sworn  
8 to testify as to the truth, the whole truth, and  
9 nothing but the truth;

10 That said deposition was taken before me  
11 at the time and place therein set forth, and was taken  
12 down by me stenographically and thereafter transcribed  
13 via computer-aided transcription under my direction and  
14 is a true record of the testimony given;

15 I further certify I am neither counsel  
16 for, nor related to, any party to said action, nor  
17 interested in the outcome thereof;

18 IN WITNESS WHEREOF, I have hereto  
19 subscribed my name this 9th day of November, 2022.

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Vickie Blair, CSR No. 8940, RPR-CRR